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January 19, 2017

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Telrite Corporation d/b/a Life Wireless Petition for Streamlined
Designation as a Lifeline Broadband Provider Eligible
Telecommunications Carrier; Oral *Ex Parte* Presentation; WC
Docket No. 09-197**

Dear Ms. Dortch:

On January 17, 2017, John Heitmann of Kelley Drye & Warren LLP spoke via telephone on behalf of Telrite Corporation (Telrite) with Claude Aiken, Legal Advisor to Commissioner Clyburn regarding Telrite's pending petition for designation as a Lifeline Broadband Provider (LBP) pursuant to the Lifeline Modernization Order.¹

During this discussion, I contested the Wireline Competition Bureau's (Bureau's) removal of Telrite's petition from streamlined processing. Specifically, I explained that the newly minted LBP designation process already was in danger of becoming a replica of the dysfunctional federal ETC designation and Lifeline-only compliance plan approval processes, through which the Commission has thwarted competitive entry not only in those states where it designates wireless service providers as ETCs, but across the country.² By standardizing application requirements and review periods, the LBP designation process was designed to streamline competitive entry, not thwart it.

¹ See *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962, 3969, para. 22 (2016) (Lifeline Modernization Order).

² Telrite has had a federal ETC petition pending since April 4, 2012. See *Telrite Corporation Petition for Limited Designation as an Eligible Telecommunications Carrier in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee, and Virginia*, WC Docket No. 09-197 (Filed Apr. 4, 2012).

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I also contested the Bureau's claim that "[i]n determining whether the Bureau should grant a petition for LBP designation, the Bureau should consider the unique 'advantages and disadvantages of the applicant's service offerings.'" ³ I explained that with the Commission's broadband minimum service standards in place, it should approve applicants on a technology- and service-neutral basis so that consumers can determine for themselves—based on their individual circumstances—the advantages and disadvantages of particular service offerings.

Despite the foregoing concerns, I nevertheless highlighted the unique advantages of Telrite's Lifeline broadband service offerings, which have been launched throughout the company's designated ETC serving area. I explained that Telrite is a long-standing Lifeline service provider that led the industry in moving to 500 minutes of voice before it was adopted as a minimum standard. I also explained that Telrite recently modernized its service offerings with Premium Wi-Fi, a broadband service that provides unlimited access to a network of over 34 million pre-established high-speed hotspots in the United States. Unlike traditional free public Wi-Fi, Premium Wi-Fi is fast, secure, and reliable, behaving in a manner more akin to cellular data and providing added security through last-mile virtual private networks (VPNs). Telrite's plans in LBP states will include a plan with unlimited Premium Wi-Fi, 500 minutes, unlimited texts, and an allotment of cellular data at no cost to the consumer with a free smartphone that is both Wi-Fi and hotspot capable. This unique service plan offers an effective means of closing the homework and jobs gaps for Lifeline-eligible households, especially for those within the Premium Wi-Fi coverage area. Telrite also will make available a plan with 500 MB of cellular data.

I concluded by requesting support for approving Telrite's LBP designation so that consumers in states like New York, Florida and elsewhere could gain access to Telrite's unique and innovative Lifeline service offerings.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically.

Respectfully submitted,



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cc: Claude Aiken

³ See Lifeline Modernization Order ¶ 22.